

Amendments to House Bill No. 316
Reference Copy

Requested by Senator Dave Lewis

For the House Free Conference Committee

Prepared by Jaret Coles
April 18, 2011 (4:35pm)

1. Title, page 1, line 13.

Following: "~~TAXES;~~"Insert: "REVISING THE ALLOCATION OF METALLIFEROUS MINES LICENSE
TAXES;"

2. Title, page 1, line 30.

Following: "~~15-37-117,~~"

Insert: "15-37-117,"

3. Page 8, line 25.

Insert: "Section 3. Section 15-37-117, MCA, is amended to read:

"15-37-117. Disposition of metalliferous mines license taxes. (1) Metalliferous mines license taxes collected under the provisions of this part must, in accordance with the provisions of 17-2-124, be allocated as follows:

(a) to the credit of the general fund of the state, ~~57%~~ 60.45% of total collections each year;

(b) to the state special revenue fund to the credit of a hard-rock mining impact trust account, ~~2.5%~~ 2.25% of total collections each year;

(c) to the hard-rock mining reclamation debt service fund established in 82-4-312, 8.5% of total collections each year;

(d) to the natural resources operations state special revenue account established in 15-38-301, ~~7%~~ 6.3% of total collections each year; and

(e) within 60 days of the date the tax is payable pursuant to 15-37-105, to the county or counties identified as experiencing fiscal and economic impacts, resulting in increased employment or local government costs, under an impact plan for a large-scale mineral development prepared and approved pursuant to 90-6-307, in direct proportion to the fiscal and economic impacts determined in the plan or, if an impact plan has not been prepared, to the county in which the mine is located, ~~25%~~ 22.5% of total collections each year, to be allocated by the county commissioners as follows:

(i) not less than 37.5% to the county hard-rock mine trust account established in 7-6-2225; and

(ii) all money not allocated to the account pursuant to subsection (1)(e)(i) to be further allocated as follows:

(A) 33 1/3% is allocated to the county for general planning functions or economic development activities as described in 7-6-2225(3)(c) through (3)(e);

(B) 33 1/3% is allocated to the elementary school districts within the county that have been affected by the development or operation of the metal mine; and

(C) 33 1/3% is allocated to the high school districts within the county that have been affected by the development or operation of the metal mine.

(2) When an impact plan for a large-scale mineral development approved pursuant to 90-6-307 identifies a jurisdictional revenue disparity, the county shall distribute the proceeds allocated under subsection (1)(e) in a manner similar to that provided for property tax sharing under Title 90, chapter 6, part 4.

(3) The department shall return to the county in which metals are produced the tax collections allocated under subsection (1)(e). The allocation to the county described by subsection (1)(e) is a statutory appropriation pursuant to 17-7-502."

{Internal References to 15-37-117:

7-6-2225x	7-6-2225x	7-6-2226x	15-38-301x
17-7-502x	20-9-231x	82-4-312x	90-6-304x
90-6-304 x	90-6-304x	90-6-304x	}"

Renumber: subsequent sections

4. Page 39, line 6.

Strike: "6"

Insert: "7"

5. Page 39, line 7.

Strike: "6"

Insert: "7"

6. Page 39, line 17.

Strike: "6"

Insert: "7"

- END -